

Cutler Bay

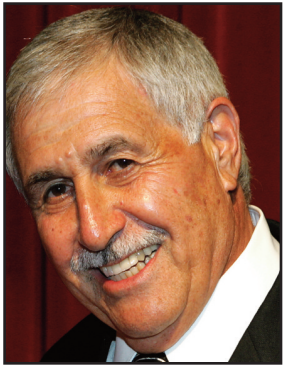
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SERVING SOUTH DADE

There a lot wrong with our 'criminal injustice system'

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Vice Mayor



Okay, I threatened to write about it so here goes: "The Criminal Injustice System."

I probably will get a lot of flack from attorneys (including

my daughter, who is among them). Most say our system is the best and it is working well. Sorry but I disagree. Unless you are Casey Anthony who is now receiving marriage proposals and million-dollar offers for TV interviews, something I don't even get, the system stinks.

Let's start with the jury system. I have been on many juries. Don't ask me why but I get called a lot and I am apparently too stupid to find a way out.

I could fake a foreign accent and say I really don't understand. The judge would admonish me but neither attorney will want me on the case. I guess I could say I have been following the case day by day in the newspapers or that I assume that the defendant is guilty, or that I favor the death penalty, etc., but that is not me. I usually end up as foreman of the jury, perhaps because I talk a lot.

For those who haven't had the experience, let me give you a glimpse of what happens behind those locked doors. Before the judge lets you go in there you are repeatedly warned that if there is any itchy bitsy piece of evidence that is questionable, you must find the defendant not guilty. This of course leaves you at the mercy of the defense attorney who is now able, because of all the technical

stuff in use by law enforcement, to poke holes in just about anything.

Maybe somebody sneezed in the DNA lab. That would make all the evidence from that lab possibly contaminated. You must acquit!

Boy would I love to be a defense attorney. I could find flaws in just about anything, and that is all you really need.

An example: I was seated on a jury dealing with an accused bank robber who handed a note to the teller and ran off with the loot. He was caught a few blocks away with the gun he used in the holdup and a pad of paper on which he wrote his "note" and his handwriting exactly matched that on the holdup note.

"Great," I says to myself. It's a slam dunk and I get to go home early. That is until we began deliberations. One sweet old lady (younger than I am now) said, "But he looks like such a nice young man." Of course his attorney took him in for a haircut and bought him the mandatory K-Mart defendant's suit so he would not look like the monster who held up the bank.

It took all my persuasive abilities to convince her that he did not look that way when he had the gun and note in his hand. Unfortunately, I can't be on every jury, but had I not been there, he most certainly would have gone free to rob more banks.

On another trial, the judge, after we found the defendant guilty of holding up a woman with a shotgun, released him because the defense lawyer made an issue of the fact that there were no shells in the gun. I don't know about you, but with a shotgun pointed at me, I would be pretty frightened and that is what the perpetrator should have been judged by. That particular judge was angry with me for some time because I spoke about it

on my radio show.

One of the things that I am sure the jurors in the Casey Anthony trial were asked is if they had any knowledge of the case. Anyone who is that out of touch with what is going on around them would make excellent fodder for a defense attorney. If I were on that jury, they would probably still be sitting there in the locked room. Merely knowing that her missing daughter was not reported missing for a month would have done it for me. Whatever happened, she sure was a part of it. In my family, if a 2-year-old isn't seen for 30 seconds, (not days) we all go nuts looking for them. The pool story...nonsense! If that happened, and it does happen all the time in Florida, you call 9-1-1 or the police and report it. Everyone takes blame for being neglectful and we go back to grieving, not partying.

Of course jurors are never allowed to know about a defendant's past history so if a habitual bank robber is accused again of robbing a bank, the jurors see him as "such a nice young man." If I am on a jury, I want to know with whom I am dealing. Of course there is always reasonable doubt. Even if there are eye witnesses.

"When did you last have your eyes examined?" "Were the street lights on at the time?" "What color pants was the defendant wearing?" "Oh, you are not sure." Reasonable doubt. See what I mean? Still think our system is the best?

You may send money to me for my new Casey Anthony Child Care Center c/o this newspaper.

Editor's note: Please don't send money to this newspaper. Really!